

UNITED STATES DISTRICT COURT
Northern District of California

SERVICE EMPLOYEES,

Plaintiff(s),

v.

SEIU UNITED HEALTHCARE WORKERS,

Defendant(s).

No. C 09-00404 WHA (MEJ)

DISCOVERY ORDER RE: DKT. #454

On January 12, 2010, Plaintiffs filed a letter regarding certain outstanding discovery disputes in this case. (Dkt. #454.) Upon review of Plaintiffs' letter, the Court hereby ORDERS as follows:

- 1) Defendant Dan Martin shall file a declaration, attesting under penalty of perjury, that (a) the computer identified as his wife's in Plaintiffs' letter is exclusively used by her, and (b) he has never used the computer for any purpose, including non-UHW-related business. Mr. Martin shall file his declaration by January 19, 2010. If Mr. Martin files this declaration, the computer need not be produced.
- 2) Alternatively, if Mr. Martin has used the computer for any purpose, including non-UHW-related business, it shall be produced by January 19, 2010, under the terms of the existing Protective Order and protocol about how to handle non-UHW property on Defendants' electronic devices.
- 3) As to Defendants' counsel's declarations regarding Barbara Lewis and Joan Emslie, Defendants' counsel have now filed declarations as previously ordered. Accordingly, this

1 issue is moot.

- 2 4) As to the interrogatory responses of Michael Krivosh, Jorge Rodriguez, and NUHW,
3 Defendants shall serve their responses by January 21, 2010. Failure to serve responses may
4 result in the imposition of sanctions, including exclusion of any testimony from said
5 Defendants.

6 **IT IS SO ORDERED.**

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8 Dated: January 13, 2010

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10 Maria-Elena James
11 Chief United States Magistrate Judge
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